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UNITED STATES DISTRICT COURT DISTRICT OF NEVADA

* * * * * *

THEIA TECHNOLOGIES LLC, an Oregon Limited Liability Company,

Case No. 3:11-cv-00188-ECR-VPC

Plaintiff,

ORDER APPROVING CONSENT JUDGMENT

TERRAX INC., a Nevada corporation,

Defendant.

CONSENT JUDGMENT

The parties, having agreed to the entry of the following Order, it is hereby Ordered, Adjudged, and Decreed as follows:

1. This Court has jurisdiction over Plaintiff Theia Technologies LLC ("Theia") and Defendant Terrax Inc. ("Terrax") and of the subject matter of this action.

- 2. Their was and is the sole owner of the entire right, title, and interest in and to United States Trademark Registration No. 3,473,019, including all rights of recovery for infringement.
- United States Trademark Registration No. 3,473,019 for the mark THEIA is valid and enforceable.
- 4. Terrax, its principals, directors, officers, agents, servants, employees, receivers, trustees, successors, and assigns, who receive notice of this Order, and all other persons in active participation with them, are hereby permanently enjoined during the life of United States Trademark Registration No. 3,473,019 from any acts of infringement of said trademark.
- 5. Terrax, its principals, directors, officers, agents, servants, employees, receivers, trustees, successors, and assigns, who receive notice of this Order, and all other persons acting in concert or participation with it, or under its control, are hereby permanently enjoined and restrained from using the terms THEIA, THEIA SYSTEMS, THEIA PROJECT, or any name or mark including the term THEIA, or any confusingly similar term or terms, in any form, font, or style, for any product, product name, brand, designation, trademark, or service mark, including use on signage, in advertising, or use on or in association with a website or user name.
- 6. The parties are precluded from raising any issues, including counterclaims or defenses, in subsequent litigation, which could have been raised in this action.
- 7. This Court retains jurisdiction of this matter as necessary to resolve disputes, if any, arising between Theia and Terrax, insofar as it relates to the subject matter of this lawsuit.
- 8. The parties hereto waive appeal from this Consent Judgment, as well as any and all other challenges to it in any way.
 - 9. Each party shall bear its own costs and attorney fees.

ONSENT JUDGMENT

Final Judgment is hereby entered in favor of Plaintiff Theia Technologies LLC and against Defendant Terrax, Inc. consistent with this Consent Judgment.

CONSENTED AND AGREED TO BY:

CONSENTED AND AGREED TO BY:

Theia Technologies LLC

Terrax Inc.

Jeff abligian, President

Murray Owen, President

Date: 4/9/23/)

Date: 4/4/2011

IT IS SO ORDERED: this 14th day of September 2011.

Honorable

UNITED STATES DISTRICT JUDGE

DATED: 9/12

McDONALD CARANO WILSON LLP

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Attorneys for Plaintiff

ALLING & JILLSON, LTD.

DATED: 9/8/11

As an accommodation only. One

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Attorney for Defendant